

MANSFIELD TOWNSHIP COMMITTEE MEETING

October 26, 2022

Mayor Watters called the meeting to order at: 7:33 pm and read the following OPMA statement:

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Express Times NJ Zone of the time, date, and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

Roll Call: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters.

Salute to the flag was done by all.

PUBLIC PORTION – CONSENT AGENDA ITEMS

Mayor Watters opened the Public Portion of the meeting for comments on the Consent Agenda Items.

Seeing none, the Public Portion for Consent Agenda Items was closed.

CLERK'S REPORT

Mrs. Orlando reported:

- Election Day – Tuesday, November 8th. Polls open 6 am – 8 pm. Ballot box outside will be locked at 8 pm. If anyone asks where to vote, we can log in to let them know.
- Rabies Clinic – Saturday, November 26th, 10 am – 12 pm, at DPW Garage. Rabies clinics for the County are listed on our Facebook and Website pages.
- Trailer Park Fees – Received \$8,900 unpaid registration fees from 2020 – 2022.
- 2023 RFPs – Requests for Proposals were received for professional services on Wednesday, October 19th. Once Mrs. Mollineaux and Mrs. Orlando review them, they will be submitted to the Committee. At least one was received for every position.
- Re-Org – Resolutions are being prepared for the re-organization meeting on January 1st.

CFO REPORT

No report due to Mrs. Mollineaux's absence.

EMPLOYEES' REPORTS

Mrs. Fascenelli reported:

- Town-Wide Shredding Event – Held Saturday, October 15th. 73 residents and some Township Departments that had gone through the proper procedures to shred their documents. 3, 220 lbs. shredded on site. Thank you to the DPW for their help prior and during the event.
- SWAC Meeting – Next meeting is November 3rd, 7: 30 pm at the Technical School of Performing Arts Center. Public and members have not been notified of the meeting and there’s nothing on their website. Mayor Watters asked Mrs. Fascenelli to contact Mr. Dech about the notification.

ENGINEER’S REPORT

No report due to Mr. Quamme’s absence.

SUBCOMMITTEE REPORTS

- Land Use Board – Mr. Hayes stated they met last week and discussed the activity on the bottom of Blau Road. Nothing has been formally submitted.
- Environmental Commission – Mr. McGuinness stated the last meeting was cancelled.
- Recreation Committee – Mrs. Mora Dillon stated the sports are ongoing. The building is up; inside needs to be finished.
- EMS – Mr. Hayes stated it will be discussed in Executive Session.
- Open Space – Mr. Hayes stated there was no meeting.
- Share Services – Mrs. Orlando stated Washington Township sent a draft for the LUB Secretary to be discussed in Executive Session.
- Finance – Mayor Watters stated November is Budget transfers.
- Judiciary – Mayor Watters stated a few items were passed for personnel.
- Personnel – Mrs. Mora Dillon stated no report.
- School – Mayor Watters stated the school boards are back from the convention in Atlantic City. Mrs. Mora Dillon stated they had their meeting where they explained the referendum question.

ORDINANCES

First Reading

Mr. Hayes made a motion to approve the first reading of An Ordinance of the Township of Mansfield, County of Warren, State of New Jersey, to Amend Chapter 296-1 Entitled “Excavating Streets”, which was seconded by Mr. McGuinness.

Ayes: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

Second Reading

Mr. Hayes made a motion to approve An Ordinance of the Township of Mansfield, County of Warren, State of New Jersey, to Amend Chapter 117-3 Entitled "Alcoholic Beverage Control", which was seconded by Mr. McGuinness.

Mayor Watters opened the meeting for public comment; seeing none, public portion was closed.

Ayes: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

AN ORDINANCE TO AMEND CHAPTER 117-3 OF THE CODE OF THE TOWNSHIP OF MANSFIELD,
WARREN COUNTY, NEW JERSEY ENTITLED ALCOHOLIC BEVERAGE CONTROL

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD:

WHEREAS, N.J.S.A 33 allows for the annual fee for renewal of a Plenary Retail Consumption License and a Plenary Retail Distribution License to be raised or lowered no more than 20% from the fee charged the preceding year;

WHEREAS, the last change in fee ordinance was in 2020;

Section 1. The following sections of the Code of the Township of Mansfield are hereby amended to read as follows:

§ 117-3	LICENSE FEES		
Annual License	Annual Fee		Number of License
Plenary Retail Consumption	\$ 1300.00		4
Plenary Retail Distribution	\$ 650.00		1

Second Reading

Mr. Hayes made a motion to approve An Ordinance of the Township of Mansfield, County of Warren, State of New Jersey, to Amend Chapter 123 Entitled "Animal Control", which was

seconded by Mrs. Mora Dillon.

Mayor Watters opened the meeting for public comment; seeing none, public portion was closed.

Ayes: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

An Ordinance of the Township of Mansfield, County of Warren, State of New Jersey, Deleting in its Entirety Chapter 123 Entitled "Animal Control" and Replacing Same

WHEREAS, the Township Committee of the Township of Mansfield, Warren County, finds it in the best interest of the public to amend and replace Chapter 123, Animal Control, of the Revised General Ordinances of the Township of Mansfield; and

BE IT THEREFORE ORDAINED by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, that Chapter 123, Animal Control, of the Revised General Ordinances of the Township of Mansfield is hereby replaced in its entirety as follows:

Chapter 123 Animal Control

123-1 Dogs

§ 123- 1.1 Definitions

As used in this article, the following terms shall have the meanings indicated:

DOG

Any dog, bitch, or spayed bitch.

DOG OF LICENSING AGE

Any dog which has attained the age of seven months or which possesses a set of permanent teeth.

KENNEL

Any establishment wherein or whereon the business of boarding or selling dogs or breeding dogs for sale is carried on, except a pet shop.

OWNER

When applied to the proprietorship of a dog, every person having a right of property in such dog and every person who has such dog in his keeping.

PET SHOP

Any place of business which is not part of a kennel, wherein animals, including, but not limited

to, dogs, cats, birds, fish, reptiles, rabbits, hamsters, or gerbils, are kept or displayed chiefly for the purpose of sale to individuals for personal appreciation and companionship rather than for business or research purposes.

POUND

An establishment for the confinement of dogs seized either under the provisions of this article or otherwise.

SHELTER

Any establishment where dogs are received, housed, and distributed.

§ 123-1.2 Licensing of Dogs

Licenses shall be required for the following dogs of licensing age:

- A. Any dog owned or kept within the Township by a resident of the Township on the first day of January of any calendar year.
- B. Any dog acquired by any person during the course of any calendar year and kept within the Township for more than 10 days after acquisition.
- C. Any dog attaining licensing age during the course of the calendar year.
- D. Any unlicensed dog brought into the Township by any person and kept within the Township for more than 10 days.
- E. Any dog licensed by another State brought into the Township by any person and kept within the Township for more than 90 days.

§ 123-1.3 Application of License

Each application for a license under this article shall give the following information:

- A. A general description of the dog sought to be licensed, including breed, sex, age, color and markings, and whether such dog is of a long- or short-haired variety.
- B. Name, street, and post office address of the owner and of the person who shall keep or harbor such dog. For legal purposes, the owner must be 18 years of age or older.
- C. License Forms and Tags. The license forms and official tags furnished and issued by the Township shall be numbered serially, and indicate the year of issuance.
- D. Registration numbers shall be issued in the order in which applications are received.
- E. Evidence of Inoculation with Rabies Vaccine or Certification of Exemption; Requirement for License. No license tag shall be granted for any dog unless the owner thereof provides evidence that the dog to be licensed has been inoculated with a rabies vaccine of a type approved by and administered in accordance with the recommendations of the United States Department of Agriculture and the United States Department of Human Services. The rabies inoculation shall be administered by a duly licensed veterinarian, or by such other veterinarian permitted by law to do the same, and the vaccine shall be valid until November 30th of that licensing year.
- F. Inoculation Exemptions. A dog may be exempted from the requirements of such vaccination for a specified period of time by the Animal Control Authority, upon presentation of

a veterinarian's certificate stating that because of infirmity or other physical condition, or regimen of therapy, the inoculation of such dog shall be deemed inadvisable.

- G. Expiration Date of Licenses. Licenses issued by the Township shall expire on January 31 of each year.
- H. Loss of license. If a license tag or sleeve has been misplaced or lost, the Township Clerk may issue a duplicate license for that particular dog at a fee of \$3

§ 123-1.4 Application for License; When Made.

Applications for licenses for dogs which are required to be licensed by the provisions of subsection **123-1.2a** shall be made before the first day of February of each calendar year. In all other cases, the application for a license shall be made within 10 days of the day upon which the dog in question first becomes subject to the provisions of this section.

§ 123-1.5 License Record

The information on all applications under this article and the registration number issued to each licensed dog shall be preserved for a period of three years by the Township Clerk. In addition, the Clerk shall forward similar information to the State Department of Health each month on forms furnished by the Department.

§ 123-1.6 License Fees

The person applying for a license shall pay a fee of \$13 for each unspayed or unneutered dog, and \$10 for each spayed or neutered dog.

Of the total fee paid for any dog, the Township of Mansfield shall send one dollar (\$1.00) to the New Jersey State Department of Health for rabies control, pursuant to the provisions contained in N.J.S.A. 4:19-15.11 and any amendments thereof and 20 cents (0.20¢) to the State of New Jersey designated for the "Pilot Clinic Fund" pursuant to Public Law 83, Chapter 181 (N.J.S.A. 4:19-15.3c). Township of Mansfield shall send the \$3 surcharge to the State of New Jersey designated for the "Animal Population Control Fund" pursuant to the Public Law 1983, Chapter 172 (N.J.S.A. 4:19-15.3b). The remainder of each fee shall be retained by the Township pursuant to law.

In the event that a person required to apply for a dog license by this article fails to apply for said dog license by February 1 of any year, the person shall pay a late fee of \$5 for each month that the license is not renewed, said late fee to be cumulative and to be charged after the first day of each month, for that month, regardless of when the license is obtained during the month of obtaining the license.

The provisions of this section shall not apply to any dog licensed under Section [123-5](#) or 123-6, Pet Shops, Kennels, Shelters, and Pounds.

Dogs used as guides for blind persons and commonly known as "seeing eye dogs" shall be

licensed in the same manner as other dogs, except that the owner or keeper shall not be required to pay any fee

§ 123-1.7 Dog Canvass

Any person appointed for this purpose by the Township Committee shall, either annually or bi-ennially, at the direction of the Township Committee, cause a canvass to be made of all dogs owned, kept or harbored within the Township and shall report, on or before September 1 of the year in which the census is taken, to the Clerk or other person designated to license dogs in the municipality and to the Department of Health, and to the State Department of Health the result thereof, setting forth in separate columns the names and addresses of persons owning, keeping or harboring unlicensed dogs, the number of unlicensed dogs owned, kept or harbored by such person, together with a complete description of each unlicensed dog.

§ 123-1.8 Vicious Dogs

The provisions of N.J.S.A. 4:19-17 et seq. imposing a set of requirements on the owners of vicious or potentially dangerous dogs are hereby established pursuant to said law, a copy of which is on file in the office of the Township Clerk.

Any person applying for a potentially dangerous dog license, registration number and red identification tag pursuant to N.J.S.A. 4:19-17 et seq., shall pay a fee of \$700.

§ 123-1.9 Curbing of Dogs

No person, agency or institution owning, harboring, keeping or in charge of any dog shall cause, suffer, or allow such dog to soil, defile, defecate upon or commit any nuisance upon any private property whatsoever, except with the express authority or permission of the owner of said property.

No person, agency or institution owning, harboring, keeping or in charge of any dog shall cause, suffer, or allow such dog to soil, defile, defecate upon or commit any nuisance upon any public property owned, leased, or used by the Township of Mansfield for public or recreational purposes.

Any person who curbs his or her dog anywhere in the Township of Mansfield, except on his or her own property, shall observe the following conditions:

The person who so curbs such dog shall immediately remove all feces deposited by such dog by a sanitary method approved by the Warren County Board of Health.

The feces removed shall be disposed of by the person owning, harboring, keeping or in charge of any dog curbed in accordance with the provisions of this section, in a sanitary manner or on said person's own property.

§ 123-2 Licensing of Pet Shops, Kennels, Shelters, and Pounds

§ 123-2.1 License Required

Any person who keeps or operates, or proposes to establish a kennel, pet shop, shelter or pound shall apply to the Township Clerk for a license entitling him to keep or operate such establishment. Applicant must receive a zoning permit approval from the zoning officer. Any person holding such license shall not be required to secure individual licenses for dogs owned by such licensee and kept at such establishments; such licenses shall not be transferable to another owner or different premises.

§ 123-2.2 Application Information

The application shall contain the following information:

- a) The name and permanent and local address of the applicant.
- b) The telephone and telefax number at both the permanent and local address of the applicant.
- c) The e-mail address of the applicant.
- d) The street address where the establishment is located, or proposed to be located, together with a general description of the premises.
- e) The purpose for which the premises is to be maintained.
- f) The maximum number of animals of each type to be accommodated by such establishment at any one time.
- g) Certification of approval from the Warren County Board of Health

§ 123-2.3 License Term

Any kennel, pet shop, shelter or pound license shall be for a one-year duration, running from July 1 through June 30 of the following year in accordance with N.J.S.A 4:19-15.8. Any license applications that shall occur after July 1 shall only be for the period until the following June 30, and the license fee shall cover the license term, whether a full or partial term.

§ 123-2.4 License Fees

Pet Shop License fee - \$150

Kennel fee - \$25

Shelter/rescue/pound – no fee

Failure to apply for a license shall result in a \$25 per month late penalty for each month beginning July 1. The late fee is cumulative and to be charged after the first day of the month, for that month, regardless of when the license is obtained during the month of obtaining the license.

§ 123-3

Wildlife Feeding

§ 123-3.1 Purpose

To prohibit the feeding of unconfined wildlife in any public park or on any other property owned or operated by the Township of Mansfield, so as to protect public health, safety and welfare,

and to prescribe penalties for failure to comply.

§ 123-3.2 Definitions

For the purpose of this section, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

FEED

Shall mean to give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting, or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game.

PERSON

Shall mean any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

WILDLIFE

Shall mean all animals that are neither human nor domesticated.

§ 123-3.3 Prohibited conduct

No person shall feed, in any public park or on any other property owned or operated by the Township of Mansfield any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers).

§ 123-3.4 Enforcement

- A. This article shall be enforced by the Township of Mansfield Police Department and/or other such designated officials of the Township of Mansfield.
- B. Any person found to be in violation of this article shall be ordered to cease the feeding immediately.

§ 123-3.5 Violations and Penalties

Any person(s) who is found to be in violation of the provisions of this section shall be subject to a fine not to exceed \$200.

§ 123-4 Disposal of Pet Waste

§ 123-4.1 Purpose

This is an article to establish requirements for the proper disposal of pet solid waste in Township of Mansfield, Warren County, New Jersey, so as to protect public health, safety, and welfare, and

to prescribe penalties for failure to comply.

§ 123-4.2 Definitions

For the purpose of this article, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this article clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

IMMEDIATE

The pet solid waste is removed at once, without delay.

OWNER/KEEPER

Any person who shall possess, maintain, house, or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.

PERSON

Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

PET

A domesticated animal (other than a disability assistance animal) kept for amusement or companionship.

PET SOLID WASTE

Waste matter expelled from the bowels of the pet; excrement.

PROPER DISPOSAL

Placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.

§ 123-4.3 Requirement for Disposal

All pet owners and keepers are required to immediately and properly dispose of their pets' solid waste deposited on any property, public or private, not owned or possessed by them.

§ 123-4.4 Exemptions

Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this article while such animal is being used for that purpose.

§ 123-4.5 Enforcement

Any resident of the Township of Mansfield may file a complaint for a violation of this article with

the Clerk of the Township of Mansfield Municipal Court.

§ 123-4.6 Violations and Penalty

Any person(s) who is found to be in violation of the provisions of this section shall be subject to a fine of not less than \$25 nor more than \$500 for each violation.

§ 123-5 Running at Large of Livestock

§ 123-5.1 Purpose

This Code shall be constructed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as residents are affected by injury to any persons or other animals, or damage caused to personal property, including lawn, shrubbery, flowers, grounds, trees or any property of persons other than the owner or person having the care, custody or control of such unrestrained livestock running at large within the Township of Mansfield and to assess violations and penalties accordingly.

§ 123-5.2 Definitions

A. As used in this article, the following terms shall have the meanings indicated:

LIVESTOCK

All horses, ponies, donkeys, mules, miniature breeds, and all other equine; all domestic and exotic pigs, hogs, and other swine; all cattle, goats, sheep; and all llamas, and alpacas.

RUNNING AT LARGE

Any livestock situated upon any public street, park, or any other public place while unrestrained or situated upon any private property, including the property of the livestock owner, while not restrained by a sufficient fence, enclosure, or tether and which is not attended by the owner or his or her representative.

B. Violations shall be in accordance with **§ 123-5.5** of this article.

§ 123-5.3 General Requirements

- A. Any person or persons, firm, partnership, or corporation having the care, control, custody, or management of any livestock as defined above shall prohibit the animals to stray or run at large within the limits of the Township of Mansfield.
- B. Fencing requirements. A fence sufficiently enclosed and strong enough to prevent livestock from escaping, going through, or under it, is hereby required wherever livestock is kept. If any livestock escapes from within the confines of any fence it shall be presumed

that such fence has not met the provisions of this article. Any owner or lessee of the land on which such fence is located is subject to the requirements of this section.

§ 123-5.4 Drained Livestock; Impounding

- A. When any livestock are taken up and distrained by any person for running at large, they shall be forthwith impounded by the Animal Control Officer and shall be furnished with suitable food and water, so long as they are detained.
- B. The owner of livestock in the custody or possession of the Animal Control Officer pursuant to this act may claim and be entitled to the possession of the livestock. Upon payment to the Animal Control Officer of reasonable compensation for the care and keeping of the livestock, upon satisfactory proof of ownership of the livestock, and upon making reparation as provided in **§ 123-5.5**, the livestock shall be returned to its owner.

§ 123-5.5 Violations and Penalties.

- A. Any person or persons, firm, partnership, or corporation violating or failing to comply with any provision of this Code shall be guilty of an offense punishable as follows:
 - 1) The first and second violation will be verbal warnings.
 - 2) A fine for a third violation in the amount of \$100.
 - 3) A fine for a fourth violation in the amount of \$250.
 - 4) A fine for a fifth violation in the amount of \$500.
 - 5) A fine for a sixth or any subsequent offenses in the amount of \$1,000 each.
- B. Each day for which a violation of this article occurs shall be considered a separate offense throughout the year.

§ 123-5.6 Notice and orders

Notice. The Township, or any duly authorized Code or Animal Control Official, shall cause a notice to be issued to the applicable person or persons, firm, partnership, or corporation when a violation of this Code occurs.

- A. Form. Such notice prescribed in **§ 123-5.5 (a)** shall be in accordance with all of the following:
 - 1) Be in writing.
 - 2) Include the identity or description of the animal.
 - 3) A statement of when, where and what damage was done, if known.
 - 4) Include a correction order allowing a reasonable time for restitution of penalties and damages to be made.
 - 5) Inform the property owner of the right to appeal.
- B. Method of Service. Such notice shall be deemed to be properly served if a copy thereof is sent by first-class mail, express mail, overnight carrier, or certified mail addressed to the last known address.

Section 2. All ordinances inconsistent with the foregoing shall be deemed repealed by

Section 3. This Ordinance shall take effect immediately upon publication as provided by law.

Second Reading

Mr. Hayes made a motion to approve An Ordinance of the Township of Mansfield, County of Warren, State of New Jersey, to Amend Chapter 182 Entitled "Fees", which was seconded by Mr. McGuinness.

Mayor Watters opened the meeting for public comment; seeing none, public portion was closed.

Ayes: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY,
DELETING CHAPTER 182 ENTITLED "FEES" AND REPLACING SAME

WHEREAS, Municipalities may adopt and amend regulations dealing with charges for administrative fees and services; and

WHEREAS, the Township of Mansfield, County of Warren, State of New Jersey finds it necessary to update the fees and charges associated with materials and services to reflect the administrative costs of providing same; and

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey as follows:

Section 1:

The Mansfield Township Code, Chapter 182 entitled "Fees" is deleted in its entirety and is replaced as follows:

§ 182 Fees

§ 182-1 Tax and Finance Office

Duplicate Tax Bill

- First duplicate copy five dollars (\$5)
- Each additional duplicate copy in the same tax year – twenty-five dollars (\$25)

Duplicate Tax Sale Certificate – one hundred dollars (\$100) per certificate

Tax Search Fee – ten dollars (\$10)

Redemption Calculations

- In accordance with N.J.S.A. 54:5-54, the Tax Collector shall provide to any party entitled

to redeem a certificate pursuant to this article, two calculations of the amount required for redemption within a calendar year at no cost. For each subsequent calculation requested from the Tax Collector, there shall be a \$50 fee. A request for a redemption calculation shall be made in writing to the Tax Collector.

- In accordance with N.J.S.A. 54:5-97.1, the Tax Collector may charge a lienholder of a tax lien \$50 for the calculation of the amount due to redeem the tax lien as required pursuant to N.J.S.A. 54:5-97.1. Any request for a redemption calculation shall specify the date to be used for the calculation, which shall be the date of the notice. Neither the Tax Collector nor the municipality shall be liable for an incorrect calculation. The fee paid to the municipality shall not become part of the lien and shall not be passed on to any party entitled to redeem pursuant to N.J.S.A. 54:5-54.

§ 182-2 Police Records/Court Discovery

Initial Firearms ID Card – Five dollars (\$5)

Fire arms Permit – Two dollars (\$2)

Copy of DVD video — Five dollars (\$5) per disc

Flash drive – Five dollars (\$5) per drive

Photocopies – Seventy-five cents (75¢) per page for the first 10 pages

Fifty cents (50¢) per page for the next 10 pages

Twenty-five cents (25¢) per page for each page thereafter

Postage – actual postage will be charged plus twenty-five cents (25¢) for envelope

Police reports (paper copies)

- five dollars (\$5) per report for the first 2 pages
- two dollars (\$2) per page, per side for each additional

§ 182-3 Township Clerk

OPRA fees

- letter size page photocopies five cents (0.05¢) per paper
- legal size page photocopies seven cents (0.07¢) per paper
- flash drive – five dollars (\$5) each

Marriage Application Fees – charged in accordance with NJ State Office of Vital Statistics

Certified copies of Vital Records – Ten dollars (\$10) per copy

Fee for COAH fee calculation – Twenty dollars (\$20) per calculation

Certified 200-foot list – Ten dollars (\$10) per copy

Zoning Application (residential property) – Forty dollars (\$40)

Zoning Application (commercial property) – Sixty dollars (\$60)

Road Opening Permit Application – one hundred dollars (\$100)

Road Opening Escrow – one hundred fifty dollars (\$150)

Driveway Permit Application – one hundred fifty dollars (\$150)

Driveway Permit Escrow – seven hundred dollars (\$700)

Bid Package Fees

Fifteen dollars (\$15) to obtain a copy of the bid package

Five dollars (\$5) if bid package is mailed

Township Code Book – Seventy-five dollars (\$75) per volume

Master Plan – thirty-five dollars (\$35) per copy

Land Use Ordinance with map – twenty-five dollars (\$25)

Land Subdivision and Zoning ordinances – twenty-five dollars (\$25) per volume

Senior Citizen & Disabled Person Protected Tenancy Fee

- Service of notice to a tenant, required by N.J.S.A. 2A:18-61.27, \$10 each
- Determination or eligibility for each tenant, as required by N.J.S.A. 2A:18-61.28, \$25 each
- The administrative agency may charge a reasonable fee established by resolution of the Township Committee for any other service required to be performed by the administrative agency under the provisions of the Senior Citizens and Disabled Persons Protected Tenancy Act

§ 182-4 Recreation Fees

Sports Activity Registration Fees

Basketball – sixty to ninety dollars (\$60-\$90)

Softball – sixty to ninety dollars (\$60-\$90)

Soccer – sixty to ninety dollars (\$60-\$90)

Field Hockey – sixty to ninety dollars (\$60-\$90)

Football – sixty to ninety dollars (\$60-\$90)

Flag Football – sixty to ninety dollars (\$60-\$90)

Cheerleading – sixty to ninety dollars (\$60-\$90)

Flag Cheerleading – sixty to ninety dollars (\$60-\$90)

- If three children in the same family are registered for the same sport, the third shall be free.

Registration late fee

Registrations that are turned in after the close of the registration period will be assessed a late fee of twenty-five dollars (\$25) for all sports.

Processing Refund of Registration fees - five dollars (\$5)

Clinic Sports Registration Fees

Learn to play Field Hockey - \$35-\$85 per child

Soccer Clinic - \$35-\$85 per child

Beginner Tennis Spring & Fall (Ages 5-6) – twenty to eighty dollars (\$20-\$80) for six (6) half hour sessions per child

Beginner Tennis Summer & Winter (Ages 5-6) –fifteen to sixty dollars (\$15-\$60) for six (6) half hour sessions per child

Beginner Tennis Spring & Fall (Ages 7-14) – forty to sixty dollars (\$20-\$80) for six (6) one-hour sessions per child

Beginner Tennis Summer & Winter (Ages 7-14) – twenty-five to sixty-five dollars (\$25-\$65) for six (6) one-hour sessions per child

Beginner Tennis Summer (Ages 10-12) – forty to sixty-five dollars (\$40-\$65) per session per child

All tennis programs – ten dollars \$10 insurance fee (paid one time per child)

Soccer Pre-K camp – seventy-five to one hundred twenty five dollars (\$75-\$125) per child

Softball for each player enrolled in one of Mansfield’s Softball League Programs – twenty to forty dollars (\$20-\$40) per child

Scholarships

Fees will be waived upon written notice of award of a need-based scholarship from the Recreation Committee. Prior to any waiver of a fee, there shall be a written application by the applicant and a vote by the majority of a quorum present granting the waiver. The decision shall be memorialized in the minutes of the Recreation Committee.

Township Fields and Tennis Courts

Ball fields and tennis courts (team play, per season)

This fee enables a team to use a field for up to ten (10) hours per week assuming there are no conflicts with a Mansfield Township sponsored event.

- 1) Youth leagues (5 to 18 years of age)
 - a. Seasonal use fees
 - i. Township residents: one hundred dollars (\$100)
 - ii. Non-Township residents: two hundred dollars (\$200)
 - b. Daily use fees
 - i. Township residents: fifty dollars (\$50)
 - ii. Non-Township residents: one hundred dollars (\$100)

- 2) Adult leagues (over 18 years of age)
 - a. Seasonal use fees
 - i. Township residents: one hundred fifty dollars (\$150)
 - ii. Non-Township residents: three hundred dollars (\$300)
 - b. Daily use fees
 - i. Township residents: \$50
 - ii. Non-Township residents: one hundred dollars (\$100)
- 3) Nonprofit organizations.
 - a. Seasonal use fees:
 - i. Township residents: fifty dollars (\$50)
 - ii. Non-Township residents: one hundred dollars (\$100)
 - b. Daily use fees
 - i. Township residents: twenty-five dollars (\$25)
 - ii. Non-Township residents: fifty dollars (\$50)
- 4) In order for a team to qualify for Township resident fee rates, the team must be made up of 90% Township of Mansfield residents. A list of team participants with addresses may be required.
- 5) A Certificate of liability insurance: Proof of insurance must be supplied to the Mansfield Township Municipal Clerk no later than 24 hours prior to field use. General liability coverage is required and submission of a hold harmless agreement (forms on file with the Municipal Clerk)
- 6) All events and programs sponsored by Mansfield Township are excluded from the listed use fees.
- 7) Mansfield Township Parks and Recreation Committee reserves the right to close fields or facilities if conditions warrant this action.
- 8) Failure of any team or organization to abide by all rules and regulations of Chapter 249 or any of the above regulations may result in immediate termination of team/organization's permission to use fields by the Township Committee and/or Recreation Committee and there will be no reimbursement of any fees.

§ 182-5 Miscellaneous Township Fees

Returned Check fee – twenty dollars (\$20)

Replacement of damaged road sign fee – one hundred fifty dollars (\$150)

Deposit of cleanup debris at municipal facility fees

- Station wagon or car – fifteen dollars (\$15) per load
- Pickup truck – twenty-five dollars (\$25) per load
- Van – twenty-five dollars (\$25) per load
- Any of the above with single-axle utility trailer will be assessed an additional twenty-five dollars (\$25) per load

Tire disposal fees

- Car, SUV, & light truck tires (with or without rims) – one dollar twenty-five cents – two dollars (\$1.25 - \$2)
- Truck tires 8.25-20, 9.00-20, 10.00-20, 11.00-20, 11.00-22.5 and bigger (with or without rims) nine to twelve dollars (\$9-\$12)
- Farm tractor tires (with or without rims) – five to seven dollars (\$5-\$7) per ply

Recovery of refrigerants fee – ten to twenty-five dollars (\$10-\$25) per unit

Special Service Charges

- A. If the nature, format, manner of collation, or volume of a government records embodied in the form of printed matter to be inspected, examined, or copied pursuant to this section is such that the record cannot be reproduced by ordinary document copying equipment in ordinary business size or involves an extraordinary expenditure of time and effort to accommodate the request, the Township may charge, in addition to the actual cost of duplicating the record, a special service charge that shall be reasonable and shall be based upon the actual direct cost of providing the copy or copies.
- B. The special service charge in each case will be based upon the actual direct cost to research, retrieve and copy the requested records as specified by N.J.S.A. 47:1A-5c or as permitted by law.
- C. Prior to the commencement of services encompassed by the special service charge, the Township shall provide an estimate of the number of hours required to perform the special services and the charge for same. The requestor shall have the opportunity to review and object to the charge prior to it being incurred and shall be required to remit to the Township with the full amount of the estimate. In the event the actual cost of the special services exceeds the estimated amount, the requestor shall be responsible for the payment of same prior to being provided with the requested records. In the event the actual cost of the special services is less than the estimated amount, the balance of the deposit shall be returned to the requestor.

Section 2. Repealer

Any article, section, paragraph, subsection, clause, or other provision of the Code of the Township of Mansfield inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency.

Section 3. Severability.

The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged to be unconstitutional or invalid by a court of competent jurisdiction the remainder of this Ordinance shall remain in full force and effect.

Section 4. Effective Date.

This Ordinance shall take effect upon final passage and publication as provided by law.

Second Reading

Mrs. Mora Dillon made a motion to approve An Ordinance Amending Chapter 215, Ordinance 2022-07 of the Township of Mansfield Code Regulating Short Term Rentals, which was seconded by Mr. Hayes.

Mayor Watters opened the meeting for public comment; seeing none, public portion was closed.

Ayes: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY,
AMENDING CHAPTER 215, ORDINANCE NO. 2022-07, OF THE MANSFIELD TOWNSHIP CODE
REGULATING SHORT TERM RENTALS

WHEREAS, the Township is desirous of prohibiting short term rentals of dwellings or dwelling units for a period of 60 days or less subject to certain exceptions; and

WHEREAS, Chapter 322 of the Township Code currently allows for the rental of “[a]ny place, area, lot, site or tract of land occupied by or used at the present time, or at any future time by two or more trailers, or available for such occupancy or use, with or without charge, and shall include any building, structure, tent, camp, cottage or enclosure used or intended for use as part of or in connection with such trailer camp or tourist camp,” and

WHEREAS, Chapter 363-67 allows for temporary occupation of privately owned campgrounds for camping-related purposes, and

WHEREAS, the Township, intending to be consistent with the regulation of short term rentals and the Township Code, wishes to amend Ordinance No. 2022-07 regulating same to allow for the activities described in Chapter 322 as well as Chapter 363-67.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, that Ordinance No. 2022-07, creating Chapter 215 regulating Short Term Rentals, be amended as follows:

SECTION 1:

Additions to this Chapter shall be designated by underlined text.

Chapter 215. Short Term Rentals.

§ 215-2. Short Term Rental Restrictions

[. . .]

C. Notwithstanding anything to the contrary in the Township Code, it shall be unlawful for any person, including, but not limited to, an owner, lessor, sublessor with any possessory interest in any dwelling unit, to receive compensation of any kind for the use, occupancy, lease or rental, for any purpose and for any period of time, of property or portion of property for camping, glamping, or recreational vehicle space, except as provided by Chapter 322, entitled “Trailers and Trailer Camps,” and by Chapter 363-67 entitled “Private Campgrounds”.

SECTION 2. All ordinances or part of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistencies only.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect after final passage and publication in accordance with law.

CONSENT AGENDA

Each of the following resolutions B, C & E were presented before the Township Committee at the October 26, 2022, meeting and have the unanimous approval of all the members of the Township Committee, with the same legal effect as though each was read in its entirety at the October 26, 2022, meeting and adopted by separate vote.

Motion by Mr. Hayes, second by Mr. McGuinness.

Consent Agenda Items A, D, F, G & H were withdrawn.

Ayes: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

Authorizing Issuance of a Road Opening Permit to Elizabethtown Gas for Airport Road

WHEREAS, the Township recently paved Airport Road; and

WHEREAS, Township Code Section 296-1 titled "Excavating Streets" places a five (5) year moratorium on road openings; and

WHEREAS, Elizabethtown Gas has requested that they be able to excavate in or around Airport Road in order to improve service to Township residents; and

WHEREAS, the Township Committee believes it is in the best interest of the taxpayers of the Township of Mansfield to permit the opening of the roadway.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, in the County of Warren, State of New Jersey, that Elizabethtown Gas is authorized to obtain a road opening permit for Airport Road, subject to posting of the necessary performance bond and escrow for professional fees.

Granting Paid Sick Leave for a Mansfield Township Police Officer

WHEREAS, the Township Committee (“Committee”) of the Township of Mansfield (“Township”) finds and declares that Officer Robert DePasquale (“Employee”) is an employee of the Mansfield Township Police Department; and

WHEREAS, the Committee further finds and declares that the Employee will be out of work on paid leave through Workers’ Compensation as of September 18, 2022; and

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mansfield does hereby grant Workers’ Compensation to Township Employee Robert DePasquale, during the period of September 18, 2022 through November 8, 2022; and

BE IT FURTHER RESOLVED that the Acting Township Clerk be and is hereby directed to formally notify the Police and Firemen’s Retirement System (PFRS) of said status and to cause the same to be included in the records maintained for said employee.

Granting Paid Sick Leave for a Municipal Court Employee (Court Administrator)

WHEREAS, the Township Committee (“Committee”) of the Township of Mansfield (“Township”) finds and declares that Irene Brownell (“Employee”) is an employee of the Mansfield Township Municipal Court; and

WHEREAS, the Committee further finds and declares that the Employee will be out of work on paid leave as of October 31, 2022 and

WHEREAS, the Committee further finds and declares that the Employee has leave days accrued that can be used for salary compensation during the duration of her paid leave;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mansfield does hereby grant paid leave to Township Employee, Irene Brownell, during the period of October 31, 2022 through December 14, 2022; and

BE IT FURTHER RESOLVED that the Township Acting Clerk be and is hereby directed to formally notify the Public Employees’ Retirement System of said status and to cause the same to be included in the records maintained for said employee.

Mr. Hayes made a motion to approve Consent Agenda item A, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: Mr. Farino, Mr. McGuinness

Authorizing Raffle Licenses for Tri County Fire Company Auxiliary

WHEREAS, Tri County Fire Company Auxiliary has submitted Raffle License Applications for On-Premise Raffles to be held on November 19, 2022; and

WHEREAS, all paperwork and payments are in order, and the identification number from the Legalized Games of Chance Control Commission is currently valid, and will be valid at the date and time of the raffles;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, that Raffle License RA2022-10 and Raffle License RA2022-11 are approved, and the Acting Township Clerk is authorized to sign off on the licenses and submit copies to the appropriate authorities.

Consent Agenda Item D will be voted on after Executive Session.

Mr. Hayes made a motion to approve Consent Agenda item F, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

Authorizing Mayor to Sign Retirement Separation Agreement

WHEREAS, Sergeant Patrick Kirchner is employed by the Township of Mansfield; and

WHEREAS, Sgt. Kirchner has set a retirement date of April 1, 2023; and

WHEREAS, Sgt. Kirchner has agreed to the terms set forth in the Retirement Separation Agreement;

NOW THEREFORE IT BE RESOLVED; by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, that the Mayor is authorized to sign the aforementioned Agreement.

Mr. Hayes made a motion to approve Consent Agenda item G, which was seconded by Mr. McGuinness.

Ayes: Mr. Hayes excluding Item 21-00175, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: Mr. Farino

Authorizing Payment of Municipal Obligations

WHEREAS, the Township Committee of the Township of Mansfield, County of Warren, finds and declares that certain municipal obligations have come due and are now payable; and
WHEREAS, the Township Committee further finds and declares that said obligations have been itemized on the annexed schedules, which are hereby deemed part of this Resolution;
NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mansfield does hereby authorize payment of said municipal obligations, in accordance with the recommendations of the Chief Financial Officer and the Deputy Treasurer, from the following accounts and in the following amounts:

PREPAID LIST	
CURRENT	\$115,090.70
CAPITAL	
TRUST	\$
DOG	\$
RECREATION	
OPEN SPACE	\$
DEV ESCROW	
UNEMPLOYMENT	\$28.20
TAX PREMIUM	
MANDATORY DEV	
OUTSIDE EMPLOY	
TOTAL	\$115,118.90

BILLS LIST	
CURRENT	\$1,968,722.45
CAPITAL	\$9,140.00
TRUST	\$
DOG	\$
RECREATION	\$
OPEN SPACE	\$
DEV ESCROW	\$
UNEMPLOYMENT	\$
TAX PREMIUM	\$
MANDATORY DEV	\$
OUTSIDE EMPLOY	\$
GREEN TEAM	\$
TOTAL	\$1,977,862.45

Mr. Hayes made a motion to approve Consent Agenda item H, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Farino, Mr. Hayes, Mrs. Mora Dillon, Mayor Watters
 Nays: None
 Absent: None
 Abstain: Mr. McGuinness

BEST PRACTICE

2022 Best Practice Inventory Worksheet was distributed by Mrs. Mollineaux to the Committee prior to the meeting. Mr. Hayes made a motion to acknowledge the worksheet, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters
 Nays: None
 Absent: None
 Abstain: None

COMMITTEE ANNOUNCEMENTS AND COMMENTS

Mr. Hayes stated the Mayor received a letter from Operation Toys for Tots Train hosted by the Marine Corp. that comes through the Port Murray Train Station on December 4th at approximately 11:30 am. Collection boxes for unwrapped toys will be at the Police Station, Mansfield Fire House, and Mayberry's. He asked that the event be posted on the website

PUBLIC PORTION

Mayor Watters opened the Public Portion of the meeting for comment; seeing none, the public portion was closed.

EXECUTIVE SESSION

Mayor Watters announced moving into Executive Session at 7:53 pm

Mr. Hayes made a motion to go into Executive Session which was seconded by Mr. McGuinness.

Ayes: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

WHEREAS, the Open Public Meetings Act, P. L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss:

- Contractual matters
- Personnel matters
- Attorney/Client privilege matters
- Matters of real property

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW THEREFORE BE IT RESOLVED that the public be excluded from this meeting.

RETURN FROM EXECUTIVE SESSION

Return from Executive Session at 9:35 pm.

Mr. Hayes made a motion to return to Regular Session, which was seconded by Mrs. Mora Dillon.

Roll Call: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Mr. Wenner announced the return from Executive Session where they discussed:

- Contractual matters regarding EMS involving Independence
- Janes Chapel Road improvements
- Share Services Contract for LUB Secretary with Washington Township, Morris County
- Retirement agreement with Sgt. Patrick Kirchner
- Personnel matter regarding Election Day Municipal Office hours
- 2023 Holiday Schedule
- State Health Benefit Plans
- Attorney/client privilege ordinance draft regarding leaves in the streets
- Two matters dealing with disposition of real property 2514/3 & 2506/1
- Discussion of right-of-way and the Townships obligations to maintain any property line that is in that right-of-way

No official action was taken. Copies of these minutes will be available at such time the Committee determines there is no longer a harm to the public interest.

Mr. Wenner requested a motion to authorize the action discussed in Executive Session regarding the Independence Emergency Squad.

Mr. Hayes made a motion to authorize the action discussed in Executive Session regarding the Independence Emergency Squad, which was seconded by Mrs. Mora Dillon

Ayes: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

Mr. Wenner requested a motion to authorize the Deputy Clerk to work Election Day in exchange for two (2) Comp Times as discussed in Executive Session.

Mrs. Mora Dillon made a motion to authorize Deputy Clerk to work Election Day in exchange for two (2) Comp Times as discussed in Executive Session, which was seconded by Mr. Hayes.

Ayes: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

Mr. Wenner requested a motion to authorize the 1:00 pm dismissal of Municipal Employees on November 23, 2022, Thanksgiving Eve Day, as discussed in Executive Session.

Mrs. Mora Dillon made a motion to authorize the 1:00 pm dismissal of Municipal Employees on November 23, 2022, Thanksgiving Eve Day, as discussed in Executive Session, which was seconded by Mr. McGuinness.

Ayes: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

Mr. McGuinness made a motion authorizing Resolution D on the Agenda regarding the retirement of Sgt. Kirchner, which was seconded by Mr. Hayes.

Ayes: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

Mr. Hayes made a motion to adjourn at 9:39 pm, carried unanimously.

Respectfully submitted,
Illena Raffaele
Deputy Clerk/Registrar